

CHAPTER 1136

APPROPRIATIONS — INFRASTRUCTURE AND CAPITAL PROJECTS

S.F. 2349

AN ACT relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, and the revenue bonds capitals II fund, and providing for related matters, and including effective date provisions.

Be It Enacted by the General Assembly of the State of Iowa:

**DIVISION I
REBUILD IOWA INFRASTRUCTURE FUND**

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

***1. DEPARTMENT OF ADMINISTRATIVE SERVICES**

For projects related to routine maintenance of state buildings and facilities:

FY 2014-2015:

..... \$ 4,000,000*

2. DEPARTMENT OF CULTURAL AFFAIRS

For deposit in the Iowa great places program fund created in section 303.3D for Iowa great places program projects that meet the definition of “vertical infrastructure” in section 8.57, subsection 5:

FY 2014-2015:

..... \$ 1,000,000

3. ECONOMIC DEVELOPMENT AUTHORITY

a. For equal distribution to regional sports authority districts certified by the economic development authority pursuant to section 15E.321, notwithstanding section 8.57, subsection 5, paragraph “c”:

FY 2014-2015:

..... \$ 500,000

b. For renovations, expansions, and enhancements to facilities for an adult day program at a year-round camp for persons with disabilities in a central Iowa city with a population between 195,000 and 205,000 as determined by the 2010 federal decennial census:

FY 2014-2015:

..... \$ 250,000

c. For administration and support of the world food prize including the Borlaug/Ruan scholar program, notwithstanding section 8.57, subsection 5, paragraph “c”:

FY 2014-2015:

..... \$ 200,000

d. For the purchase and renovation of existing buildings to relocate programs of a nonprofit organization dedicated to eliminating homelessness among children, youth, and young mothers in a county with a population between 400,000 and 450,000 as determined by the 2010 federal decennial census:

FY 2014-2015:

..... \$ 250,000

e. For restoration and improvements, including restoration of the chapel, at the museum at Fort Des Moines:

FY 2014-2015:

..... \$ 100,000

4. DEPARTMENT OF HUMAN SERVICES

a. For the construction and expansion of inpatient mental health facilities and the construction of an outpatient clinic building at a publicly owned acute care teaching hospital

* Item veto; see message at end of the Act

located in a county with a population between 400,000 and 450,000 as determined by the 2010 federal decennial census:

FY 2014-2015: \$ 3,000,000

FY 2015-2016: \$ 2,000,000

b. For the renovation and construction of certain nursing facilities, consistent with the provisions of chapter 249K:

FY 2014-2015: \$ 500,000

c. For a grant to a nonprofit agency that provides innovative solutions to children and adults with autism in a city with a population between 14,500 and 15,500 as determined by the 2010 federal decennial census for costs associated with the acquisition of or improvements to facilities:

FY 2014-2015: \$ 825,000

d. For a grant to a nonprofit human services agency that provides services for disabled adults for renovations and improvements to an existing building in a county with a population between 20,750 and 20,850 as determined by the 2010 federal decennial census:

FY 2014-2015: \$ 250,000

5. DEPARTMENT OF NATURAL RESOURCES

a. For implementation of lake projects that have established watershed improvement initiatives and community support in accordance with the department’s annual lake restoration plan and report, notwithstanding section 8.57, subsection 5, paragraph “c”:

FY 2014-2015: \$ 9,600,000

b. For the administration of a water trails and low head dam public hazard statewide plan, including salaries, support, maintenance, and miscellaneous purposes, notwithstanding section 8.57, subsection 5, paragraph “c”:

FY 2014-2015: \$ 2,000,000

c. For the establishment of a new state park in a county with a population between 11,500 and 11,600 in the latest preceding certified federal census:

FY 2014-2015: \$ 2,000,000

d. For funding projects of the Iowa parks foundation that support the centennial celebration of state parks, notwithstanding section 8.57, subsection 5, paragraph “c”:

FY 2014-2015: \$ 2,000,000

6. DEPARTMENT OF PUBLIC DEFENSE

a. For major maintenance projects at national guard armories and facilities:

FY 2014-2015: \$ 2,000,000

b. For construction improvement projects for Iowa national guard installations and readiness centers to support operations and training requirements:

FY 2014-2015: \$ 2,000,000

c. For exhibits highlighting Iowans and their service at the gold star museum, notwithstanding section 8.57, subsection 5, paragraph “c”:

FY 2014-2015: \$ 250,000

7. BOARD OF REGENTS

a. For allocation by the state board of regents to the state university of Iowa, Iowa state university of science and technology, and the university of northern Iowa to reimburse the institutions for deficiencies in the operating funds resulting from the pledging of tuition,

student fees and charges, and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions:

FY 2014-2015:

..... \$ 29,735,423

b. For costs associated with the renovation, modernization, and construction of a new addition at the pharmacy building at the state university of Iowa:

*FY 2014-2015:

..... \$ 2,000,000*

FY 2015-2016:

..... \$ 13,000,000

FY 2016-2017:

..... \$ 29,000,000

FY 2017-2018:

..... \$ 22,300,000

c. For the construction of a new facility and an addition, renovation, and modernization of current facilities and related improvements for biosciences at Iowa state university of science and technology:

*FY 2014-2015:

..... \$ 2,000,000*

FY 2015-2016:

..... \$ 11,000,000

FY 2016-2017:

..... \$ 19,500,000

FY 2017-2018:

..... \$ 19,500,000

d. For the renovation, modernization, and associated improvements to an educational center for teacher education and preparation at the university of northern Iowa:

*FY 2014-2015:

..... \$ 2,000,000*

FY 2015-2016:

..... \$ 11,000,000

FY 2016-2017:

..... \$ 13,600,000

FY 2017-2018:

..... \$ 6,300,000

8. STATE FAIR AUTHORITY

For infrastructure costs associated with renovations and improvements to the youth inn on the Iowa state fairgrounds:

FY 2014-2015:

..... \$ 825,000

FY 2015-2016:

..... \$ 2,325,000

9. DEPARTMENT OF TRANSPORTATION

a. For acquiring, constructing, and improving recreational trails within the state:

FY 2014-2015:

..... \$ 6,000,000

Of the amount appropriated in this lettered paragraph, \$1,000,000 shall be used only for grants to refurbish existing trail bridges that have documented historical and architectural significance. A grant recipient that receives funding pursuant to the allocation in this paragraph shall not receive more than \$500,000 for a project and the grant recipient shall provide at least a dollar-for-dollar match from both private and public sources excluding funding from the state. Any match requirements regarding federal moneys shall not apply to grants received from moneys allocated in this paragraph.

* Item veto; see message at end of the Act

b. For deposit in the public transit infrastructure grant fund created in section 324A.6A, for projects that meet the definition of “vertical infrastructure” in section 8.57, subsection 5, paragraph “c”:

FY 2014-2015: \$ 1,500,000

c. For infrastructure improvements at the commercial service airports within the state:

FY 2014-2015: \$ 1,500,000

d. For infrastructure improvements at general aviation airports within the state:

FY 2014-2015: \$ 750,000

e. For deposit in the railroad revolving loan and grant fund created in section 327H.20A, notwithstanding section 8.57, subsection 5, paragraph “c”:

FY 2014-2015: \$ 4,000,000

10. TREASURER OF STATE

For distribution in accordance with chapter 174 to qualified fairs which belong to the association of Iowa fairs for county fair infrastructure improvements:

FY 2014-2015: \$ 1,060,000

Sec. 2. REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION II
TECHNOLOGY REINVESTMENT FUND

Sec. 3. There is appropriated from the technology reinvestment fund created in section 8.57C to the following departments and agencies for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF CULTURAL AFFAIRS

For providing a grant to a museum district for the Sullivan brothers veterans museum for costs associated with the oral history exhibit including but not limited to exhibit information technology, computer connectivity, and interactive display technologies:

FY 2014-2015: \$ 500,000

2. DEPARTMENT OF EDUCATION

a. For maintenance and lease costs associated with connections for part III of the Iowa communications network:

FY 2014-2015: \$ 2,727,000

b. For the continued development and implementation of an education data warehouse that will be utilized by teachers, parents, school district administrators, area education agency staff, department of education staff, and policymakers:

FY 2014-2015: \$ 600,000

The department may use a portion of the moneys appropriated in this lettered paragraph for an e-transcript data system capable of tracking students throughout their education via interconnectivity with multiple schools.

c. For the development of an automated workflow process for a program and common course numbering management system for community colleges:

FY 2014-2015:

.....	\$	150,000
d. To the public broadcasting division for the replacement of equipment and for tower and facility maintenance:		
FY 2014-2015:		
.....	\$	1,000,000
3. THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.		
For implementation of a statewide mass notification and emergency messaging system, as enacted in this Act:		
FY 2014-2015:		
.....	\$	400,000
4. DEPARTMENT OF HUMAN RIGHTS		
a. For the cost of equipment and computer software for the implementation of Iowa's criminal justice information system:		
FY 2014-2015:		
.....	\$	1,300,000
b. For costs associated with the justice enterprise data warehouse:		
FY 2014-2015:		
.....	\$	314,474
5. DEPARTMENT OF HUMAN SERVICES		
For a grant to a nonprofit agency that provides innovative solutions to children and adults with autism in a city with a population between 14,500 and 15,500 as determined by the 2010 federal decennial census for the cost associated with internet services and video communications systems for clinics:		
FY 2014-2015:		
.....	\$	155,000
6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION		
For replacement of equipment for the Iowa communications network:		
FY 2014-2015:		
.....	\$	2,245,653
The commission may continue to enter into contracts pursuant to section 8D.13 for the replacement of equipment and for operation and maintenance costs of the network.		
In addition to moneys appropriated in this subsection, the commission may use a financing agreement entered into by the treasurer of state in accordance with section 12.28 for the replacement of equipment for the network. For purposes of this subsection, the treasurer of state is not subject to the maximum principal limitation contained in section 12.28, subsection 6.		
Repayment of any amounts financed shall be made from receipts associated with fees charged for use of the network.		
7. DEPARTMENT OF MANAGEMENT		
For completion of a comprehensive electronic management system:		
FY 2014-2015:		
.....	\$	100,000
8. DEPARTMENT OF PUBLIC HEALTH		
For costs associated with the establishment of a data registry software system for the collection of data elements related to emergency management system services or hospital emergency care:		
FY 2014-2015:		
.....	\$	150,000
9. OFFICE OF THE CHIEF INFORMATION OFFICER		
For technology consolidation and technology improvement projects approved by the state chief information officer pursuant to chapter 8B:		
FY 2014-2015:		
.....	\$	7,728,189

Sec. 4. REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of

the fiscal year for which the appropriation was made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION III
IOWA COMMUNICATIONS NETWORK — CONTRACTS

Sec. 5. IOWA COMMUNICATIONS NETWORK — AUTHORIZATION FOR CONTRACTS. Pursuant to section 8D.11, subsection 1, paragraph “a”, the general assembly authorizes the Iowa telecommunications and technology commission to enter into a contract or contracts in excess of the contract limitation amount established in section 8D.11, subsection 1, paragraph “c”, for purposes of the commission’s network managed services request for proposals process. This authorization applies for the duration of the commission’s project and to all affected contracts associated with the project, whether or not the award is made to a single vendor or multiple vendors.

DIVISION IV
CHANGES TO PRIOR APPROPRIATIONS

Sec. 6. 2010 Iowa Acts, chapter 1184, section 12, is amended to read as follows:
SEC. 12. REVERSION.

1. ~~For~~ Except as otherwise provided in subsections 2 and 3, for purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation was made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. For purposes of section 8.33, unencumbered or unobligated moneys from moneys appropriated in section 10, subsection 2, paragraphs “a”, “c”, and “d”, and subsection 4, paragraph “a”, subparagraph (10), in this division of this 2010 Act shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2014, or until the projects for which the appropriations were made are completed, whichever is earlier.

3. For purposes of section 8.33, unencumbered or unobligated moneys from moneys appropriated in section 10, subsection 7, paragraph “a”, of this division of this 2010 Act shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2015, or until the project for which the appropriation was made is completed, whichever is earlier.

*Sec. 7. 2011 Iowa Acts, chapter 133, section 1, subsection 10, paragraphs c through f, as amended by 2012 Iowa Acts, chapter 1140, section 15, are amended to read as follows:

c. For projects for immediate fire safety needs and for compliance with the federal Americans with Disabilities Act, at the regents institutions:

FY 2011-2012	\$	2,000,000
FY 2012-2013	\$	2,000,000

Of the amounts appropriated in this lettered paragraph, up to \$2,000,000 may be used to fund deductibles on property insurance and to provide the necessary match for funds which may be available from the federal emergency management agency for the cleanup, repair, and restoration of facilities at the state school for the deaf and the Iowa braille and sight saving school due to storm damage in the calendar year 2011, notwithstanding section 8.57, subsection 6, paragraph “c”.

d. For construction, renovation, and related improvements for phase II of the agricultural and biosystems engineering complex, including classrooms, laboratories, and offices at Iowa state university of science and technology:

FY 2011-2012	\$	1,000,000
--------------------	----	-----------

* Item veto; see message at end of the Act

FY 2012-2013	\$	19,050,000
FY 2013-2014	\$	21,750,000
FY 2014-2015	\$	18,600,000

0

e. For the renovation and related improvements to the dental science building at the state university of Iowa including but not limited to renovation of clinical spaces and development of a multidisciplinary clinical area:

FY 2011-2012	\$	1,000,000
FY 2012-2013	\$	10,250,000
FY 2013-2014	\$	9,750,000
FY 2014-2015	\$	8,000,000

0

f. For renovation and related improvements for Bartlett hall at the university of northern Iowa including providing faculty offices, seminar rooms, and laboratories in the building and the associated demolition of Baker hall:

FY 2011-2012	\$	1,000,000
FY 2012-2013	\$	7,786,000
FY 2013-2014	\$	10,267,000
FY 2014-2015	\$	1,947,000

0*

Sec. 8. 2011 Iowa Acts, chapter 133, section 3, subsection 8, paragraph a, as amended by 2012 Iowa Acts, chapter 1140, section 18, is amended to read as follows:

8. DEPARTMENT OF PUBLIC SAFETY

a. For the provision of a statewide public safety radio network and the purchase of compatible radio communications equipment with the goal of achieving compliance with the federal communications commission's narrowbanding mandate deadline, and for achieving "interoperability", as defined in section 80.28:

FY 2011-2012	\$	2,500,000
FY 2012-2013	\$	2,500,000
		700,000
FY 2013-2014	\$	2,500,000
		1,800,000

Of the amounts appropriated in this lettered paragraph, the department of public safety may enter into a public-private partnership, through a competitive bidding process, for the provision of the statewide network and the purchase of compatible equipment.

As a condition of this appropriation, all land mobile radio communications equipment purchased by the department of public safety shall be compliant with the federal communications commission's narrowbanding mandate and shall provide the maximum amount of statewide coverage and interoperability, throughout all phases of migration, to the department of public safety's future statewide digital radio network utilizing P-25 standards.

On or before January 13, 2012, the department of public safety shall provide a report to the legislative services agency and the department of management. The report shall detail the status of the funds appropriated in this subsection and shall include the estimated needs of the departments of public safety, corrections, and natural resources to achieve interoperability and to meet the federal narrowbanding mandate, any changes in estimated costs to meet those needs, and the status of requests for proposals to develop a public-private partnership.

Sec. 9. 2012 Iowa Acts, chapter 1138, section 89, is amended to read as follows:

SEC. 89. DEPARTMENT OF NATURAL RESOURCES — ECONOMIC EMERGENCY FUND. There is appropriated from the Iowa economic emergency fund to the department of natural resources for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated, notwithstanding section 8.55, subsection 1:

For the repair of damages due to the flooding of the Missouri river during the calendar year

* Item veto; see message at end of the Act

2011 in the Lewis and Clark, lake Manawa, and Wilson island state parks and recreation area: \$ 2,865,743

For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys remaining from the appropriation made in this section shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends ~~two~~ three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which the appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

*Sec. 10. 2013 Iowa Acts, chapter 142, section 1, subsection 1, paragraph a, is amended to read as follows:

a. For projects related to major repairs and major maintenance for state buildings and facilities:

FY 2013-2014:

..... \$ 4,000,000

Of the amount appropriated in this lettered paragraph for the fiscal year beginning July 1, 2013, \$250,000 shall be allocated for the disposition and relocation of structures located at 707 east locust and 709 east locust, Des Moines, Iowa.

FY 2014-2015:

..... \$ 14,000,000
24,000,000*

Sec. 11. 2013 Iowa Acts, chapter 142, section 1, subsection 2, paragraph b, is amended to read as follows:

b. For the planning, design, construction, and renovation of the state historical building:

FY 2014-2015:

..... \$ 3,800,000
0

~~By October 15, 2014, the department shall submit a report to the general assembly on the results of the planning and study of the building including the use of and anticipated cash flow needs for the final building design.~~

Sec. 12. 2013 Iowa Acts, chapter 142, section 1, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. DEPARTMENT OF HUMAN SERVICES

For the renovation and construction of certain nursing facilities, consistent with the provisions of chapter 249K:

FY 2013-2014:

..... \$ 150,000

Sec. 13. 2013 Iowa Acts, chapter 142, section 3, subsection 1, is amended by striking the subsection.

Sec. 14. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION V
MISCELLANEOUS CODE CHANGES

Sec. 15. Section 8.57, subsection 5, paragraph c, Code 2014, is amended to read as follows:

c. Moneys in the rebuild Iowa infrastructure fund in a fiscal year shall be used as directed by the general assembly for public vertical infrastructure projects. For the purposes of this subsection, "vertical infrastructure" includes only land acquisition and construction; major renovation and major repair of buildings; routine, recurring maintenance; all appurtenant

* Item veto; see message at end of the Act

structures; utilities; site development; recreational trails; and debt service payments on academic revenue bonds issued in accordance with chapter 262A for capital projects at board of regents institutions. “*Vertical infrastructure*” does not include ~~routine, recurring maintenance~~ or operational expenses or leasing of a building, appurtenant structure, or utility without a lease-purchase agreement.

Sec. 16. Section 8.57, subsection 5, paragraph f, Code 2014, is amended to read as follows:

f. (1) (a) For the fiscal year beginning July 1, 2013, and for each fiscal year thereafter until the principal and interest on all bonds issued by the treasurer of state pursuant to section 12.87 are paid, as determined by the treasurer of state, of the wagering tax receipts received pursuant to sections 99D.17 and 99F.11, the first fifty-five million dollars shall be deposited in the revenue bonds debt service fund created in section 12.89, and the next three million seven hundred fifty thousand dollars shall be deposited in the revenue bonds federal subsidy holdback fund created in section 12.89A.

(b) For the fiscal year beginning July 1, 2013, and for each fiscal year through the fiscal year beginning July 1, 2019, of the wagering tax receipts received pursuant to sections 99D.17 and 99F.11, the next fifteen million dollars shall be deposited in the vision Iowa fund created in section 12.72.

~~(c) For the fiscal year beginning July 1, 2013, and for each fiscal year thereafter until the principal and interest on all bonds issued by the treasurer of state pursuant to section 12.81 are paid, as determined by the treasurer of state, of the wagering tax receipts received pursuant to sections 99D.17 and 99F.11, the next five million dollars shall be deposited in the school infrastructure fund created in section 12.82.~~

(d) (c) For the fiscal year beginning July 1, 2013, and for each fiscal year thereafter, of the wagering tax receipts received pursuant to sections 99D.17 and 99F.11, the next sixty-six million dollars shall be deposited in the Iowa skilled worker and job creation fund created in section 8.75.

(e) (d) For the fiscal year beginning July 1, 2013, and for each fiscal year thereafter, the total moneys in excess of the moneys deposited under this paragraph “f” in the revenue bonds debt service fund, the revenue bonds federal subsidy holdback fund, the vision Iowa fund, ~~the school infrastructure fund~~, and the Iowa skilled worker and job creation fund shall be deposited in the rebuild Iowa infrastructure fund and shall be used as provided in this section, notwithstanding section 8.60.

(2) For the fiscal year beginning July 1, 2013, and for each fiscal year thereafter, if the total amount of the wagering tax receipts received pursuant to sections 99D.17 and 99F.11, and to be deposited pursuant to subparagraph (1), subparagraph division (a), is less than the total amount of moneys directed to be deposited in the revenue bonds debt service fund and the revenue bonds federal subsidy holdback fund in the fiscal year pursuant to subparagraph (1), subparagraph division (a), the difference shall be paid from moneys deposited in the beer and liquor control fund created in section 123.53 in the manner provided in section 123.53, subsection 3.

(3) For the fiscal year beginning July 1, 2013, and for each fiscal year thereafter, after the deposit of moneys directed to be deposited in the revenue bonds debt service fund and the revenue bonds federal subsidy holdback fund, as provided in subparagraph (1), subparagraph division (a), if the total amount of the wagering tax receipts received pursuant to sections 99D.17 and 99F.11, and to be deposited pursuant to subparagraph (1), subparagraph ~~divisions division (b) and (c)~~ division (b), is less than the total amount of moneys directed to be deposited in the vision Iowa fund ~~and the school infrastructure fund~~ in the fiscal year pursuant to subparagraph (1), subparagraph ~~divisions division (b) and (c)~~ division (b), the difference shall be paid from lottery revenues in the manner provided in section 99G.39, subsection 3.

**Sec. 17. Section 8.57C, subsection 3, paragraph a, Code 2014, is amended to read as follows:*

*a. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 2014 2015, and for each subsequent fiscal year thereafter, the sum of seventeen million five hundred thousand dollars to the technology reinvestment fund.**

**Sec. 18. Section 8.57C, subsection 3, Code 2014, is amended by adding the following new paragraph:*

*NEW PARAGRAPH. f. There is appropriated from the rebuild Iowa infrastructure fund for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the sum of seventeen million two hundred eighty thousand dollars to the technology reinvestment fund, notwithstanding section 8.57, subsection 5, paragraph “c”.**

***DIVISION VI**

IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

Sec. 19. IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND — APPROPRIATION. Notwithstanding the amount of the standing appropriation from the general fund of the state to the Iowa resources enhancement and protection fund as provided in section 455A.18, and in addition to moneys appropriated in 2014 Iowa Acts, House File 2458, and any other Act enacted in the 2014 legislative session of the eighty-fifth general assembly, there is appropriated from the rebuild Iowa infrastructure fund, the following amount, or so much thereof as is necessary, for deposit in the Iowa resources enhancement and protection fund to be allocated as provided in section 455A.19, notwithstanding section 8.57, subsection 5, paragraph “c”:

FY 2014-2015:

..... \$ 4,000,000*

DIVISION VII

MISCELLANEOUS

Sec. 20. LEASED OFFICE SPACE — REQUEST FOR PROPOSALS. For the period beginning July 1, 2014, and ending June 30, 2019, notwithstanding section 8A.321, subsection 6, paragraph “c”, the department of administrative services shall not issue a request for proposals for leasing privately owned office space for state employees in the downtown area of the city of Des Moines. The department shall instead lease office space from a bidder who agrees to enter into a lease agreement with the department of administrative services under substantially the same terms and conditions as provided in the applicable proposal that was awarded to the bidder pursuant to a request for proposals conducted as required by section 8A.321, subsection 6, paragraph “c”, subparagraph (1), Code 2014, on or after January 1, 2012, to lease office space for state employees in the downtown area of the city of Des Moines.

Sec. 21. STATUTE OF REPOSE — IMPROVEMENTS TO REAL PROPERTY — LEGISLATIVE INTENT. It is the intent of the general assembly that the joint appropriations subcommittee on transportation, infrastructure, and capitals consider issues during the 2015 legislative session of the eighty-sixth general assembly relating to the statute of repose periods for bringing civil actions in cases arising out of the unsafe or defective conditions of improvements to real property.

Sec. 22. DEPARTMENT OF TRANSPORTATION STUDY. The department of transportation shall conduct a study to identify administrative needs, projected demand, necessary capital and operating costs, and public transit service structures including park-and-ride lots, employer or public van pool programs, and traditional fixed-route transit. The department shall submit a report with findings and recommendations to the general assembly on or before December 15, 2014.

** Item veto; see message at end of the Act*

DIVISION VIII
MASS NOTIFICATION AND EMERGENCY MESSAGING SYSTEM

Sec. 23. Section 22.7, subsection 67, Code 2014, is amended to read as follows:

67. Electronic mail addresses of individuals or phone numbers of individuals, and personally identifiable information about those individuals, collected by state departments and agencies for the sole purpose of disseminating emergency or routine information and notices through electronic communications that are not prepared for a specific recipient.

Sec. 24. Section 29C.2, Code 2014, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. “*Mass notification and emergency messaging system*” means a system which disseminates emergency and public safety related information to the public by various means including but not limited to telephone, wireless communications service, dual party relay service or telecommunications device, text messaging, electronic mail, and facsimile, and which integrates with federal emergency messaging systems.

Sec. 25. NEW SECTION. **29C.17A Mass notification and emergency messaging system fund.**

1. A mass notification and emergency messaging system fund is created in the state treasury under the control of the department. The fund shall consist of moneys appropriated by the general assembly and any other moneys available to and obtained or accepted by the department for placement in the fund. Notwithstanding section 12C.7, interest or earnings on moneys in the fund shall be credited to the fund. Notwithstanding section 8.33, moneys credited to the fund that remain unexpended or unobligated at the end of a fiscal year shall not revert to any other fund.

2. Amounts contained in the fund shall be used exclusively to provide for the purchase and ongoing operation of a system capable of providing mass notification and emergency messaging to the public. The system shall be purchased from a vendor selected by the department pursuant to a competitive bidding process, and shall, once purchased, be under the control of the department.

3. Information disseminated to the public through the mass notification and emergency messaging system shall be limited to imminent emergency and public safety-related issues. The department may provide access to the system for use at the county and local level. Access by a county or local government shall be at the department’s sole discretion, and if approved by the department, shall be under the control of the local commission. The commission shall establish an operational plan and procedure which meets standards adopted by the department by rule, and shall submit the operational plan and procedure for approval by the department prior to access being granted. Additional access criteria and procedures for administering the fund shall be established by the department by rule.

4. All personal information collected for use in the mass notification and emergency messaging system, including but not limited to the names and contact information of emergency messaging recipients, shall be considered confidential records under section 22.7. The director may, however, provide all or part of such confidential information to state or local governmental agencies possessing emergency planning or response functions if the director is satisfied that the need to know the information and its intended use are reasonable. An agency receiving confidential information pursuant to this subsection shall not disseminate the information in any form without prior approval by the director. The release of confidential information by the department, a county or local government, or a state or local governmental agency other than as authorized pursuant to this section, and the sale of such confidential information, is strictly prohibited.

Approved May 30, 2014, with exceptions noted.

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit Senate File 2349, an Act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, and the revenue bonds capitals II fund, and providing for related matters, and including effective date provisions.

Several vetoes of spending in Senate File 2349 are needed so that our state can maintain a balanced, sustainable and predictable budget. I am supportive of many of the programs and policy goals that would be achieved by some of these appropriations. However, in order to maintain a sustainable budget, tough choices must be made to control spending. The overall level of spending must be kept within limits that will serve our state well in the long term. Fiscal responsibility requires that \$41 million in taxpayer funded spending be vetoed from this legislation. In order to grow good-paying jobs in Iowa, we need to keep our fiscal house in order.

Senate File 2349 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 1, subsection 1, in its entirety. This item would provide \$4,000,000 for routine maintenance of state buildings and facilities. The effect of this disapproval saves \$4,000,000 in spending and helps us achieve our goal of a balanced budget.

I am unable to approve the designated portion of the item designated as Section 1, subsection 7, lettered paragraph b. This item would give \$2,000,000 in taxpayer dollars for a pharmacy building at the University of Iowa for FY 2014-2015. The effect of this disapproval saves \$2,000,000 in spending and helps us achieve our goal of a balanced budget. This item veto preserves funding in future fiscal years for this building. This item veto preserves funding totaling \$64,300,000 in future fiscal years for this building.

I am unable to approve the designated portion of the item designated as Section 1, subsection 7, lettered paragraph c. This item would give \$2,000,000 in taxpayer dollars for a biosciences building at the Iowa State University for FY 2014-2015. The effect of this disapproval saves \$2,000,000 in spending and helps us achieve our goal of a balanced budget. This item veto preserves funding totaling \$50,000,000 in future fiscal years for this building.

I am unable to approve the designated portion of the item designated as Section 1, subsection 7, lettered paragraph d. This item would give \$2,000,000 in taxpayer dollars for an educational center for teach education and preparation building at the University of Northern Iowa for FY 2014-2015. The effect of this disapproval saves \$2,000,000 in spending and helps us achieve our goal of a balanced budget. This item veto preserves funding totaling \$30,900,000 in future fiscal years for this building.

I am unable to approve the item designated as Section 7 in its entirety. This item deappropriates the final year of funding from the Rebuild Iowa Infrastructure Fund to the following Board of Regents projects: Agriculture and Biosystems Engineering Complex at Iowa State University, the Dental Sciences Building at the University of Iowa, and the Bartlett Hall renovation at the University of Northern Iowa. As these projects are already in progress, funding for them is crucial. The effect of this action reinstates these appropriations for Fiscal Year 2015.

I am unable to approve the item designated as Section 10 in its entirety. This item would give an additional \$10,000,000 in taxpayer dollars for major repairs and maintenance of state buildings. The effect of this disapproval saves \$10,000,000 in spending and helps us achieve our goal of a balanced budget. It leaves \$14,000,000 still available for major repairs and maintenance of state buildings.

I am unable to approve the item designated as Sections 17 and 18 in their entirety. Section 17 would delay the funding of the Technology Reinvestment Fund from the General Fund for

another year. Section 18 provides the funding for the Technology Reinvestment Fund for FY 2015 from the Rebuild Iowa Infrastructure Fund. I recommend the funding for the Technology Reinvestment Fund come out of the General Fund as required by statute. Changing funding sources makes it hard for taxpayers to follow the budget and hurts transparency. The effect of this disapproval would be to stop this shift and restore compliance with the Iowa Code to provide for stability and predictability.

I am unable to approve the item designated as Division VI in its entirety. This item would give \$4,000,000 in taxpayer dollars to the Resources Enhancement and Protection fund (REAP). The effect of this disapproval saves \$4,000,000 in spending and helps us achieve our goal of a balanced budget. The REAP program has \$16,000,000 still available in other appropriation bills for this year, representing an increase of \$2,000,000 available for REAP over last year.

I am unable to approve the item designated as Section 20 in its entirety. This item would exempt certain leases for state office space in downtown Des Moines from the competitive bidding process. I believe competitive bidding serves the best interest of the taxpayers.

For the above reasons, I respectfully disapprove the designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2349 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, *Governor*